

REMARKS/ARGUMENTS

Claims 1-7 and 9-24 are pending in the present application. The Examiner has rejected claims 1-7 and 9-18 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,890,166 to Eisenberg et al. (hereinafter "Eisenberg"). The examiner has rejected claims 19-24 under 35 U.S.C. § 103 over Eisenberg in view of U.S. Patent No. 5,890,166 to Bereiter et al. (hereinafter "Bereiter"). It is respectfully submitted that claims 1-7 and 9-24 are allowable over the art of record for the reasons set forth below.

Rejection Under 35 U.S.C. § 102

The Examiner rejected claims 1-7 and 9-18 as being anticipated by Eisenberg. Applicants respectfully submit that claims 1-7 and 9-18 are patentable over the art of record because claims 1-7 and 9-18 recite features that are not disclosed or suggested by Eisenberg, as set forth below.

Claims 1 through 7 and 9 through 15

Eisenberg Does Not Disclose Saving A Previous Version of Project Data As In Claims 1 and 9

Claims 1 and 9 include features neither disclosed nor suggested by the art of record, including "saving a previous version of the project data, wherein the previous version contains a value of the at least one project data attribute prior to the update."

The Examiner again indicates that the above feature is anticipated by Eisenberg at column 5, lines 23-27. This is where Eisenberg discusses the "commit" request, which applies a set of requested data alterations to existing data. As discussed in the Amendment and Reply filed January 22, 2003, this does not indicate the "saving" of the existing data (the "previous version") but only that a new version is produced. Contrary to the Examiner's contention, no "saving a previous version of the project data" is disclosed or suggested, as required by the claims.

However, in the Examiner's response section, Examiner contends that this step is also taught in column 5, lines 43-45. While this glossary definition teaches that "[A] current version may be either active or frozen. All version that are not current must be frozen," this again does not disclose that "a previous version of project data" is *saved*, nor that such a previous version "contains a value of the at least one project data attribute prior to the update."

Generally, while the "1.0 GLOSSARY OF TERMS" section included in the Eisenberg reference may be useful to elucidate what is taught in the "2.0 VERSIONED DATA MANAGEMENT SYSTEM" section, Applicants contend that this glossary does not serve on its own to provide a coherent teaching as the Examiner implies it does, and that the teaching ascribed to it also is not present elsewhere in Eisenberg.

Projects in Eisenberg are Entirely Distinct from Project Data in Applicant's Claims

Again, Applicants contend that projects in Eisenberg are completely different from projects as discussed by Applicants in their application. However, to the extent that projects exist in Eisenberg, a project is represented by a variant domain which is a hierarchy of parts. (Eisenberg, column 29, lines 22-25 and 37-41). In Eisenberg, versions of variant domains are not stored. Only versions of parts (which may constitute variant domains) are seen. Part revisions are discussed at column 15, lines 4 through column 16, line 56 of Eisenberg.

Eisenberg describes a database management system that stores versions of parts of one or more databases. It also stores information about which parts are used together and which parts are promoted together. (Eisenberg, column 1, line 16 – column 3, line 3).

Project data in the claimed invention is "data that is used to define and describe" an issue related to a project, such as a software defect, a task, a development milestone, or any other discrete issue that a user wishes to track related to a project. (Specification at pages 8-9).

This type of project data is not discussed in Eisenberg, let alone related to the "part" concept. Versioning of project data, including at least one project data attribute, is not taught in Eisenberg.

Since elements of the claim are taught by Eisenberg, claims 1 and 9 and their dependent claims 2-7 and 10-15 are distinguished from and not anticipated by Eisenberg.

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37 CFR § 1.116**

Withdrawal of the rejection of claims 1-7 and 9-15 under 35 U.S.C. § 102 is respectfully requested.

Claims 16 through 18

Claim 16, as amended, includes the feature of a project tracking system operative to maintain versions of project data comprising at least one project data element. As discussed above, the Eisenberg invention does not maintain versions of project data, but rather maintains versions of "parts". Therefore claim 16 and its dependent claims 17 and 18 are distinguished from and not anticipated by Eisenberg. Withdrawal of the rejection of claims 16-18 under 35 U.S.C. § 102 is respectfully requested.

Rejection Under 35 U.S.C. § 103(a)

The Examiner rejected claims 19-24 under 35 U.S.C. § 103(a) as allegedly being unpatentable by Eisenberg in view of Bereiter. Applicant respectfully submits that claims 19-24 are patentable over the art of record because claims 19-24 recite features that are not disclosed or suggested either explicitly or inherently by the combination of Eisenberg in view of Bereiter, as set forth below.

Claims 19-24 include features neither disclosed nor suggested by the art of record, namely "reading a selected property value for the selected version" and "reading a second property value for at least one other version of project data."

As discussed above, reading of versions of project data is not found in Eisenberg. Nor are versions which can be read found in Bereiter.

Additionally, as previously stated, in Claim 19 and its dependent claim includes "a selected version of the project data" and "a selected property value for the selected version". Only one selection is made in Eisenberg – the selection of a revision. Claim 19 also includes the limitation "comparing the selected property value to the second property value." As no property value is selected in Eisenberg, this comparison can not be seen in that reference.

The Examiner directs the Applicants' attention to column 6, lines 26-30 and column 21, lines 7-29 of Eisenberg. However, the description of "drawdown" (in column 6) does not seem to have a bearing on these claimed features, nor does the description of search paths (in column 21). Applicants are directed to column 6, lines 26 – 30 for the step of "comparing the

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selected property value to the second property value," however the search paths described there do not indicate what property value is being referred to. Again, no selected property value and selected version are seen in Eisenberg or Bereiter.

Thus, Applicants respectfully submit that claims 19 through 23 are patentably distinct and allowable over Eisenberg in view of Bereiter. Therefore, Applicants respectfully request withdrawal of the §103(a) rejections of claims 19-23.

In view of the foregoing remarks, Applicants submit that the present application is in condition for allowance based on, inter alia, arguments patentably distinguishing them over the cited art. Reconsideration of the rejections is respectfully requested.

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